IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 18TH JULY 2007 / 27TH ASHADHA 1929

Bail Appl..No. 4341 of 2007()

CMP.2093/2007 of J.M.F.C.-III,THRISSUR
CRIME NO.19/07 OF THRISSUR EXCISE RANGE.

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PETITIONERS/ACCUSED 1 & 2

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1. PRASAD, AGED 26 YEARS,
S/O. BALAKRISHNAN, KOLLAMPARAMBIL HOUSE,
IRUNILAMKODE, PALAKKAD DISTRICT.

2. KUTTAN @ BABU, AGED 21 YEARS,
S/O. SHANMUGHAN, THONDUKULAM, ARCHANA NAGAR,
P.O.NOORANI, PALAKKAD DISTRICT.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY P.P. SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 18/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4341 of 2007

Dated this the 18th day of July, 2007

ORDER

Second application for regular bail. The petitioners face allegations under the Kerala Abkari Act. They were allegedly responsible for the transportation of 735 litres of spirit in a vehicle having a concealed container to facilitate the transportation of spirit. The petitioners were arrested on 25/5/07. They continue in custody from that date.

2. The learned counsel for the petitioners prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted time of two months to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioners shall be released on bail on the following terms and conditions:

(i) The petitioners shall not be released from custody on the strength of this order prior to 25/7/07. The Investigator shall, in the meantime, make every endeavour to complete the investigation.

(ii) The petitioners shall execute bonds for Rs.2,00,000/- (Rupees two lakhs only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioners shall make themselves available for interrogation before the Investigating Officer on all Mondays, Wednesdays and Fridays between 10 a.m. and 12 noon for a period of three months from the date of their release from custody.

(R. BASANT, JUDGE)

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